

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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U.S. BANKRUPTCY
COURT - WDPA

IN RE:

ALL MATTERS RELATED TO NORTH
AMERICAN REFRACTORIES
COMPANY, et al. in Case No. 02-20198, as
affected by the May 24, 2013 Order
Entering Final Decree entered at Doc. No.
7940

Debtors

HONEYWELL INTERNATIONAL INC.,
Plaintiff,

v.

NORTH AMERICAN REFRACTORIES
COMPANY ASBESTOS PERSONAL
INJURY SETTLEMENT TRUST,
Defendant

Misc. Case No. 15-00204-TPA

Chapter 11

Adv. No. 21-2097

Rel. to Doc. 344

**JOINT STIPULATION AND CONSENT ORDER ON
DISCLOSURE OF MEDIATION MATERIALS**

Honeywell International Inc. (“Honeywell”), the NARCO Asbestos Personal Injury Settlement Trust (the “Trust”), the Trust Advisory Committee (the “TAC”), the Future Claimants’ Representative (the “FCR” and, collectively, the “Parties”), by their undersigned counsel, and the Honorable Judith K. Fitzgerald (the “Mediator”), herein jointly stipulate and agree as follows:

1. The Parties engaged in mediation proceedings with the Mediator for a certain period of time prior to the filing of the above-captioned Adversary Proceeding.
2. The Parties jointly consent to the disclosure of certain mediation materials for the purposes of trial, as identified on Exhibit “A”, which is attached hereto and made a part hereof.

3. The Mediator does not object to the Parties disclosure as set forth herein, but also

does not agree to waive any mediation privilege or confidence.

*4. Admission of the materials
at the time of trial will depend
upon the context
in which they
are offered.*

SO ORDERED

Thomas P. Agresti

THE HONORABLE THOMAS P. AGRESTI

The 2nd day of May, 2022

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Dated: April 28, 2022

Honeywell International, Inc. vs.
 North American Refractories Company Asbestos Personal Injury Settlement Trust
 Adversary Proceeding No. 21-02097 TPA

MEDIATION DOCUMENTS HONEYWELL/THE TRUST PLAN TO DISCLOSE FOR POTENTIAL USE AT TRIAL

<u>Date of Exhibit</u>	<u>Description</u>	<u>Bates Number</u>
4/12/2016	The Standstill Agreement & April 2016 Directives	n/a
11/21/2016	Confidential Mediation Response of NARCO Asbestos Trust to TAC and FCR Submission Concerning Trust Interpretation and Application of Standstill Agreement and Directives	n/a
5/30/2017	Response of the NARCO TAC and FCR to Honeywell's May 22 Submission Regarding Application of the Decision to IR	n/a
7/5/2016	Mediator's Decision Regarding Exposure to A NARCO Asbestos Containing Product for Workers at the Newport News Shipyard dated July 5, 2016	n/a
8/1/2016	Mediator's Decision Regarding Competent Evidence	n/a
8/31/2016	Mediator's Decision Regarding IR Claim Form	TRUST-HW-00013841
9/14/2016	Mediator's Clarification of Decision Regarding IR Claim Form	TRUST-HW-00013876
3/29/2017	Mediator's Decision Regarding Claims Audit Program	TRUST-HW-00014614
5/26/2017	Mediator's Final Decision regarding Impracticability of Directive 7(a), 7(b), & (7c) dated May 26, 2017	GLEASON-HW-00000335
6/6/2017	Mediator's Decision Re Proposed Directives Implementing Final Impracticability Decision	HON02950002
6/12/2017	Mediator's Decision Re Application of Final Impracticability Decision To Individual Review Claims	n/a
6/15/2017	Mediator's Decision Regarding Directives Implementing Final Impracticability Decision dated June 15, 2017	TRUST-HW-00099451
7/4/2017	Mediator's Decision Regarding Supplementation of NARCO Trust Presumptive Occupation Chart With Additional Brick Related Occupations dated July 4, 2017	TRUST-HW-00013044
9/4/2017	Mediator's Decision Regarding Use of the Check the Box Affidavits to Show Significant Occupational Exposure dated September 4, 2017	n/a
9/12/2017	Mediator's Decision Regarding Trust's Proposed Policy on Timing of Change of Election from Individual Review to Expedited Review dated September 12, 2017	TRUST-HW-00015617